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Economic and Social Council
Substantive session of 2009
Implementation of and follow-up to major United Nations conferences and summits

Letter dated 21 October 2008 from the Permanent Representatives of Norway and the United Republic of Tanzania to the United Nations addressed to the Secretary-General

We are pleased to transmit herewith the International Labour Organization Declaration on Social Justice for a Fair Globalization, which was unanimously adopted on 10 June 2008 by the General Conference of the International Labour Organization at its ninety-seventh session, held in Geneva from 28 May to 13 June 2008 (see annex). The Declaration reflects a wide consensus on the need for a strong social dimension to globalization in achieving improved and fair outcomes for all. It also provides a clear direction to accelerate progress in implementing the decent work agenda, as called for in various resolutions of the United Nations, including the 2005 World Summit Outcome and other regional agreements.

In recognition of the Declaration and its relevance to the work of the United Nations in the economic and social fields and overall policy coherence, we would be grateful if it could be published as a document of the General Assembly, under agenda item 44, as well as of the 2009 substantive session of the Economic and Social Council.

(*Signed*) Morten **Wetland**
Permanent Representative

(*Signed*) Augustine P. **Mahiga**
Permanent Representative

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Annex to the letter dated 21 October 2008 from the Permanent Representatives of Norway and the United Republic of Tanzania addressed to the Secretary-General

[Original: Arabic, Chinese, English, French, Russian and Spanish]

ILO DECLARATION ON SOCIAL JUSTICE FOR A FAIR GLOBALIZATION

The International Labour Conference, meeting in Geneva on the occasion of its Ninety-seventh Session,

Considering that the present context of globalization, characterized by the diffusion of new technologies, the flow of ideas, the exchange of goods and services, the increase in capital and financial flows, the internationalization of business and business processes and dialogue as well as the movement of persons, especially working women and men, is reshaping the world of work in profound ways:

- on the one hand, the process of economic cooperation and integration has helped a number of countries to benefit from high rates of economic growth and employment creation, to absorb many of the rural poor into the modern urban economy, to advance their developmental goals, and to foster innovation in product development and the circulation of ideas;
- on the other hand, global economic integration has caused many countries and sectors to face major challenges of income inequality, continuing high levels of unemployment and poverty, vulnerability of economies to external shocks, and the growth of both unprotected work and the informal economy, which impact on the employment relationship and the protections it can offer;

Recognizing that achieving an improved and fair outcome for all has become even more necessary in these circumstances to meet the universal aspiration for social justice, to reach full employment, to ensure the sustainability of open societies and the global economy, to achieve social cohesion and to combat poverty and rising inequalities;

Convinced that the International Labour Organization has a key role to play in helping to promote and achieve progress and social justice in a constantly changing environment:

- based on the mandate contained in the ILO Constitution, including the Declaration of Philadelphia (1944), which continues to be fully relevant in the twenty-first century and should inspire the policy of its Members and which, among other aims, purposes and principles:
  - affirms that labour is not a commodity and that poverty anywhere constitutes a danger to prosperity everywhere;
  - recognizes that the ILO has the solemn obligation to further among the nations of the world programmes which will achieve the objectives of

full employment and the raising of standards of living, a minimum living wage and the extension of social security measures to provide a basic income to all in need, along with all the other objectives set out in the Declaration of Philadelphia;

provides the ILO with the responsibility to examine and consider all international economic and financial policies in the light of the fundamental objective of social justice; and

– drawing on and reaffirming the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up (1998) in which Members recognized, in the discharge of the Organization's mandate, the particular significance of the fundamental rights, namely: freedom of association and the effective recognition of the right to collective bargaining, the elimination of all forms of forced or compulsory labour, the effective abolition of child labour, and the elimination of discrimination in respect of employment and occupation;

Encouraged by the international community's recognition of Decent Work as an effective response to the challenges of globalization, having regard to:

– the outcomes of the 1995 World Summit for Social Development in Copenhagen;

– the wide support, repeatedly expressed at global and regional levels, for the decent work concept developed by the ILO; and

– the endorsement by Heads of State and Government at the 2005 World Summit of the United Nations of fair globalization and the goals of full and productive employment and decent work for all, as central objectives of their relevant national and international policies;

Convinced that in a world of growing interdependence and complexity and the internationalization of production:

– the fundamental values of freedom, human dignity, social justice, security and non-discrimination are essential for sustainable economic and social development and efficiency;

– social dialogue and the practice of tripartism between governments and the representative organizations of workers and employers within and across borders are now more relevant to achieving solutions and to building up social cohesion and the rule of law through, among other means, international labour standards;

– the importance of the employment relationship should be recognized as a means of providing legal protection to workers;

– productive, profitable and sustainable enterprises, together with a strong social economy and a viable public sector, are critical to sustainable economic development and employment opportunities; and

– the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (1977), as revised, which addresses the growing role of such actors in the realization of the Organization's objectives, has particular relevance;

Recognizing that the present challenges call for the Organization to intensify its efforts and to mobilize all its means of action to promote its constitutional objectives, and that, to make these efforts effective and strengthen the ILO's

capacity to assist its Members' efforts to reach the ILO's objectives in the context of globalization, the Organization must:

- ensure coherence and collaboration in its approach to advancing its development of a global and integrated approach, in line with the Decent Work Agenda and the four strategic objectives of the ILO, drawing upon the synergies among them;
- adapt its institutional practices and governance to improve effectiveness and efficiency while fully respecting the existing constitutional framework and procedures;
- assist constituents to meet the needs they have expressed at country level based on full tripartite discussion, through the provision of high-quality information, advice and technical programmes that help them meet those needs in the context of the ILO's constitutional objectives; and
- promote the ILO's standard-setting policy as a cornerstone of ILO activities by enhancing its relevance to the world of work, and ensure the role of standards as a useful means of achieving the constitutional objectives of the Organization;

Therefore adopts this tenth day of June of the year two thousand and eight the present Declaration.

I. Scope and principles

The Conference recognizes and declares that:

A. In the context of accelerating change, the commitments and efforts of Members and the Organization to implement the ILO's constitutional mandate, including through international labour standards, and to place full and productive employment and decent work at the centre of economic and social policies, should be based on the four equally important strategic objectives of the ILO, through which the Decent Work Agenda is expressed and which can be summarized as follows:

(i) promoting employment by creating a sustainable institutional and economic environment in which:

- individuals can develop and update the necessary capacities and skills they need to enable them to be productively occupied for their personal fulfilment and the common well-being;
- all enterprises, public or private, are sustainable to enable growth and the generation of greater employment and income opportunities and prospects for all; and
- societies can achieve their goals of economic development, good living standards and social progress;

(ii) developing and enhancing measures of social protection – social security and labour protection – which are sustainable and adapted to national circumstances, including:

- the extension of social security to all, including measures to provide basic income to all in need of such protection, and adapting its scope and coverage to meet the new needs and uncertainties generated by the rapidity of technological, societal, demographic and economic changes;
- healthy and safe working conditions; and
- policies in regard to wages and earnings, hours and other conditions of work, designed to ensure a just share of the fruits of progress to all and a minimum living wage to all employed and in need of such protection;*

(iii) promoting social dialogue and tripartism as the most appropriate methods for:

- adapting the implementation of the strategic objectives to the needs and circumstances of each country;
- translating economic development into social progress, and social progress into economic development;
- facilitating consensus building on relevant national and international policies that impact on employment and decent work strategies and programmes; and
- making labour law and institutions effective, including in respect of the recognition of the employment relationship, the promotion of good industrial relations and the building of effective labour inspection systems;

(iv) respecting, promoting and realizing the fundamental principles and rights at work, which are of particular significance, as both rights and enabling conditions that are necessary for the full realization of all of the strategic objectives, noting:

- that freedom of association and the effective recognition of the right to collective bargaining are particularly important to enable the attainment of the four strategic objectives; and
- that the violation of fundamental principles and rights at work cannot be invoked or otherwise used as a legitimate comparative advantage and that labour standards should not be used for protectionist trade purposes.

* Ed. note: In drafting this text, priority was given in each language to concordance with the corresponding official version of article III(d) of the Declaration of Philadelphia adopted by the International Labour Conference in 1944.

B. The four strategic objectives are inseparable, interrelated and mutually supportive. The failure to promote any one of them would harm progress towards the others. To optimize their impact, efforts to promote them should be part of an ILO global and integrated strategy for decent work. Gender equality and non-discrimination must be considered to be cross-cutting issues in the abovementioned strategic objectives.

C. How Members achieve the strategic objectives is a question that must be determined by each Member subject to its existing international obligations and the fundamental principles and rights at work with due regard, among others, to:

(i) the national conditions and circumstances, and needs as well as priorities expressed by representative organizations of employers and workers;

(ii) the interdependence, solidarity and cooperation among all Members of the ILO that are more pertinent than ever in the context of a global economy; and

(iii) the principles and provisions of international labour standards.

II. Method of implementation

The Conference further recognizes that, in a globalized economy:

A. The implementation of Part I of this Declaration requires that the ILO effectively assist its Members in their efforts. To that end, the Organization should review and adapt its institutional practices to enhance governance and capacity building in order to make the best use of its human and financial resources and of the unique advantage of its tripartite structure and standards system, with a view to:

(i) better understanding its Members' needs, with respect to each of the strategic objectives, as well as past ILO action to meet them in the framework of a recurring item on the agenda of the Conference, so as to:

- determine how the ILO can more efficiently address these needs through coordinated use of all its means of action;
- determine the necessary resources to address these needs and, if appropriate, to attract additional resources; and
- guide the Governing Body and the Office in their responsibilities;

(ii) strengthening and streamlining its technical cooperation and expert advice in order to:

- support and assist efforts by individual Members to make progress on a tripartite basis towards all the strategic objectives, through country programmes for decent work, where appropriate, and within the framework of the United Nations system; and
- help, wherever necessary, the institutional capacity of member States, as well as representative organizations of employers and workers, to facilitate meaningful and coherent social policy and sustainable development;

(iii) promoting shared knowledge and understanding of the synergies between the strategic objectives through empirical analysis and tripartite discussion of concrete experiences, with the voluntary cooperation of

countries concerned, and with a view to informing Members' decision-making in relation to the opportunities and challenges of globalization;

(iv) upon request, providing assistance to Members who wish to promote strategic objectives jointly within the framework of bilateral or multilateral agreements, subject to their compatibility with ILO obligations; and

(v) developing new partnerships with non-state entities and economic actors, such as multinational enterprises and trade unions operating at the global sectoral level in order to enhance the effectiveness of ILO operational programmes and activities, enlist their support in any appropriate way, and otherwise promote the ILO strategic objectives. This will be done in consultation with representative national and international organizations of workers and employers.

B. At the same time, Members have a key responsibility to contribute, through their social and economic policy, to the realization of a global and integrated strategy for the implementation of the strategic objectives, which encompass the Decent Work Agenda outlined in Part I of this Declaration. Implementation of the Decent Work Agenda at national level will depend on national needs and priorities and it will be for member States, in consultation with the representative organizations of workers and employers, to determine how to discharge that responsibility. To that end, they may consider, among other steps:

(i) the adoption of a national or regional strategy for decent work, or both, targeting a set of priorities for the integrated pursuit of the strategic objectives;

(ii) the establishment of appropriate indicators or statistics, if necessary with the assistance of the ILO, to monitor and evaluate the progress made;

(iii) the review of their situation as regards the ratification or implementation of ILO instruments with a view to achieving a progressively increasing coverage of each of the strategic objectives, with special emphasis on the instruments classified as core labour standards as well as those regarded as most significant from the viewpoint of governance covering tripartism, employment policy and labour inspection;

(iv) the taking of appropriate steps for an adequate coordination between positions taken on behalf of the member State concerned in relevant international forums and any steps they may take under the present Declaration;

(v) the promotion of sustainable enterprises;

(vi) where appropriate, sharing national and regional good practice gained from the successful implementation of national or regional initiatives with a decent work element; and

(vii) the provision on a bilateral, regional or multilateral basis, in so far as their resources permit, of appropriate support to other Members' efforts to give effect to the principles and objectives referred to in this Declaration.

C. Other international and regional organizations with mandates in closely related fields can have an important contribution to make to the implementation of the

integrated approach. The ILO should invite them to promote decent work, bearing in mind that each agency will have full control of its mandate. As trade and financial market policy both affect employment, it is the ILO's role to evaluate those employment effects to achieve its aim of placing employment at the heart of economic policies.

III. Final provisions

A. The Director-General of the International Labour Office will ensure that the present Declaration is communicated to all Members and, through them, to representative organizations of employers and workers, to international organizations with competence in related fields at the international and regional levels, and to such other entities as the Governing Body may identify. Governments, as well as employers' and workers' organizations at the national level, shall make the Declaration known in all relevant forums where they may participate or be represented, or otherwise disseminate it to any other entities that may be concerned.

B. The Governing Body and the Director-General of the International Labour Office will have the responsibility for establishing appropriate modalities for the expeditious implementation of Part II of this Declaration.

C. At such time(s) as the Governing Body may find appropriate, and in accordance with modalities to be established, the impact of the present Declaration, and in particular the steps taken to promote its implementation, will be the object of a review by the International Labour Conference with a view to assessing what action might be appropriate.

ANNEX

FOLLOW-UP TO THE DECLARATION

I. OVERALL PURPOSE AND SCOPE

A. The aim of this follow-up is to address the means by which the Organization will assist the efforts of its Members to give effect to their commitment to pursue the four strategic objectives important for implementing the constitutional mandate of the Organization.

B. This follow-up seeks to make the fullest possible use of all the means of action provided under the Constitution of the ILO to fulfil its mandate. Some of the measures to assist the Members may entail some adaptation of existing modalities of application of article 19, paragraphs 5(e) and 6(d), of the ILO Constitution, without increasing the reporting obligations of member States.

II. ACTION BY THE ORGANIZATION TO ASSIST ITS MEMBERS

Administration, resources and external relations

A. The Director-General will take all necessary steps, including making proposals to the Governing Body as appropriate, to ensure the means by which the Organization will assist the Members in their efforts under this Declaration. Such steps will include reviewing and adapting the ILO's institutional practices and governance as set out in the Declaration and should take into account the need to ensure:

(i) coherence, coordination and collaboration within the International Labour Office for its efficient conduct;

(ii) building and maintaining policy and operational capacity;

(iii) efficient and effective resource use, management processes and institutional structures;

(iv) adequate competencies and knowledge base, and effective governance structures;

(v) the promotion of effective partnerships within the United Nations and the multilateral system to strengthen ILO operational programmes and activities or otherwise promote ILO objectives; and

(vi) the identification, updating and promotion of the list of standards that are the most significant from the viewpoint of governance.[1]

[1] The Labour Inspection Convention, 1947 (No. 81), the Employment Policy Convention, 1964 (No. 122), the Labour Inspection (Agriculture) Convention, 1969 (No. 129), and the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), and those standards identified on subsequently updated lists.

Understanding and responding to Members' realities and needs

B. The Organization will introduce a scheme of recurrent discussions by the International Labour Conference based on modalities agreed by the Governing Body, without duplicating the ILO's supervisory mechanisms, so as to:

(i) understand better the diverse realities and needs of its Members with respect to each of the strategic objectives, respond more effectively to them, using all the means of action at its disposal, including standards related action, technical cooperation, and the technical and research capacity of the Office, and adjust its priorities and programmes of action accordingly; and

(ii) assess the results of the ILO's activities with a view to informing programme, budget and other governance decisions.

Technical assistance and advisory services

C. The Organization will provide, upon request of governments and representative organizations of workers and employers, all appropriate assistance within its mandate to support Members' efforts to make progress towards the strategic objectives through an integrated and coherent national or regional strategy, including by:

(i) strengthening and streamlining its technical cooperation activities within the framework of country programmes for decent work and that of the United Nations system;

(ii) providing general expertise and assistance which each Member may request for the purpose of adopting a national strategy and exploring innovative partnerships for implementation;

(iii) developing appropriate tools for effectively evaluating the progress made and assessing the impact that other factors and policies may have on the Members' efforts; and

(iv) addressing the special needs and capacities of developing countries and of the representative organizations of workers and employers, including by seeking resource mobilization.

Research, information collection and sharing

D. The Organization will take appropriate steps to strengthen its research capacity, empirical knowledge and understanding of how the strategic objectives interact with each other and contribute to social progress, sustainable enterprises, sustainable development and the eradication of poverty in the global economy. These steps may include the tripartite sharing of experiences and good practices at the international, regional and national levels in the framework of:

(i) studies conducted on an ad hoc basis with the voluntary cooperation of the governments and representative organizations of employers and workers in the countries concerned; or

(ii) any common schemes such as peer reviews which interested Members may wish to establish or join on a voluntary basis.

III. Evaluation by the Conference

A. The impact of the Declaration, in particular the extent to which it has contributed to promoting, among Members, the aims and purposes of the Organization through the integrated pursuit of the strategic objectives, will be the subject of evaluation by the Conference, which may be repeated from time to time, within the framework of an item placed on its agenda.

B. The Office will prepare a report to the Conference for evaluation of the impact of the Declaration, which will contain information on:

(i) actions or steps taken as a result of the present Declaration, which may be provided by tripartite constituents through the services of the ILO, notably in the regions, and by any other reliable source;

(ii) steps taken by the Governing Body and the Office to follow up on relevant governance, capacity and knowledge- base issues relating to the pursuit of the strategic objectives, including programmes and activities of the ILO and their impact; and

(iii) the possible impact of the Declaration in relation to other interested international organizations.

C. Interested multilateral organizations will be given the opportunity to participate in the evaluation of the impact and in the discussion. Other interested entities may attend and participate in the discussion at the invitation of the Governing Body.

D. In the light of its evaluation, the Conference will draw conclusions regarding the desirability of further evaluations or the opportunity of engaging in any appropriate course of action.

The foregoing is the *ILO Declaration on Social Justice for a Fair Globalization* duly adopted by the General Conference of the International Labour Organization during its Ninety-seventh Session which was held at Geneva and declared closed on 13 June 2008.

IN FAITH WHEREOF we have appended our signatures this thirteenth day of June 2008:

The President of the Conference,

EDWIN SALAMIN JAEN

The Director-General of the International Labour Office,

JUAN SOMAVIA